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ADC Telecommunications, Inc.

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September 4, 1998

Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, N.W.
Suite 222
Washington, D.C. 20554

Re: MM Docket No. 97-217
Amendment of Parts 21 and 74 To Enable Multipoint Distribution Service
and Instructional Television Fixed Service Licensees To Engage In Fixed
Two-Way Transmissions

Dear Secretary:

Pursuant to Section 1.1206(b)(1) of the rules of the Federal Communications Commission (the "FCC"), 47 C.F.R. § 1.1206(b)(1) (1997), ADC Telecommunications, Inc. ("ADC") submits two copies of these ex parte comments in the above-referenced docket. This describes the content of conversations which I had with Mr. David Wye in FCC offices on Wednesday, September 2, 1998.

ADC is a U.S. based global corporation which develops, manufactures and sells a wide range of products for use in the telecommunications industry. ADC specifically urges the FCC to consider the prompt adoption of rule amendments which permit Multipoint Distribution Service ("MDS") and Instructional Television Fixed Service ("ITFS") licensees to engage in fixed, two-way transmissions.

The FCC is charged under section 706 of the Telecommunications Act of 1996 ("the Act") to "encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans", defined:

"without regard to any transmission media or technology,
as high-speed, switched, broadband telecommunications
capability that enables users to originate and receive high-
quality voice, data, graphics, and video telecommunications
using any technology."

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Magalie Roman Salas
September 4, 1998
Page Two

This is particularly so with respect to the delivery of services to specific segments of the population, including targeted populations such as low income people, people in rural areas, schools, classrooms, libraries, and health care facilities.

The FCC has the unique opportunity to satisfy Congress' goal of promoting such widespread deployment of broadband service in the pending proceeding.

The public in general, and targeted populations in particular, are interested in the availability of high-speed access to the Internet, including ITFS, as well as MDS, licensees and equipment manufacturers. Accordingly, several wireless cable operators have been deploying high-speed Internet access services capable of delivering far greater bandwidth and high-speed services than can be obtained over the wired dial-up network.

Wireless cable operators are positioned to bring these high bandwidth capacities to the very segments of the population of interest to the FCC. MDS and ITFS technologies operate in the 2 GHz band, serving cells with a 35 mile radius. Local MDS and other wireless telecommunications services operate in the upper reaches of the spectrum, for example in the 39 GHz band, which have short path lengths capable of serving cells with a radius of only about 3 to 5 miles. MDS and ITFS operators therefore are able to deploy services to larger, hard to serve areas with far lower employed capital and operating cost. Thus, these operators have the incentive to provide wireless telecommunications services to rural and other areas which cannot be easily served using technologies in the upper bands.

ADC encourages the FCC to act quickly to approve the regulatory changes in the pending docket which have been proposed by the Wireless Cable Association (the "WCA"). High-speed Internet access simply cannot be deployed efficiently over different technologies, which must now use one-way broadband MDS/ITFS channels to transmit information from the Internet to subscribers, with the efficiencies noted above, but the narrowband dial-up network for return paths to connect subscribers to the Internet. Particularly for businesses and educational institutions, which generally require access to the Internet for extended periods of time, the continued use of telephone lines for Internet access is inefficient and unnecessary. Telephone line capacity is simply not adequate for newer applications of Internet access, such as two-way video conferencing, while the carrying capacity of wireless cable is quite sufficient. Furthermore, use of telephone lines for Internet traffic ties up those lines for long periods of time, during which they are not available for voice transmission.

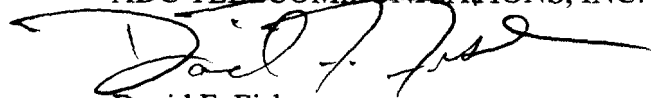
Magalie Roman Salas
September 4, 1998
Page Three

The WCA has promoted rule changes which achieve the goal of promoting deployment of two-way broadband services over MDS and ITFS. ADC supports these changes. At the same time, ADC believes the WCA endorses an appropriate approach to assuring that existing and new operations are protected from any interference which might result from two-way use of the spectrum. Reasonable rules have been proposed which would allow rapid authorization of facility modifications for two-way spectrum use, meeting Congressional objectives and its charge to the FCC, subject to certain conditions which assure non-interference. These include requirements that operators maintain their signal within acceptable limits, that they certify compliance with interference protection rules, and that the usage passes a 60-day public notice period without a petition to deny having been filed. Such measures assure that processing delays so often experienced in the past will not continue, permitting the rapid deployment of services with "high-speed . . . broadband telecommunications capability that enables users to originate and receive high-quality . . . telecommunications". Even then, the WCA proposal includes what it terms a "safety net" which requires cessation of transmissions should impermissible harmful interference result from operations authorized under expedited processing procedures.

ADC and other MDS equipment manufacturers are prepared to assist the FCC in addressing the need of people across America for access to broadband services. Wireless cable is uniquely suited to this end, including particularly for service in under-served areas. Adoption of the WCA's proposed rules is a sound approach which fully and fairly promotes objectives of section 706. ADC encourages the prompt adoption of the proposed rules.

Very truly yours,

ADC TELECOMMUNICATIONS, INC.



David F. Fisher

cc:

Hon. Harold Furchtgott-Roth
Hon. William E. Kennard
Hon. Susan Ness
Hon. Michael K. Powell
Hon. Gloria Tristani
David Wye, Wireless Bureau